

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

| | | |
|---------------------------------------|---|-----------------------|
| DONALD MIDDLEBROOKS |) | |
| |) | CAPITAL CASE |
| Plaintiff, |) | |
| |) | No. 3:19-cv-01139 |
| v. |) | |
| |) | JUDGE CAMPBELL |
| LISA HELTON, in her official capacity |) | |
| As Interim Tennessee Commissioner of |) | |
| Correction, |) | |
| |) | |
| TONY MAYS, in his official capacity |) | |
| As Warden of Riverbend Maximum |) | |
| Security Institution, |) | |
| |) | |
| Defendants. |) | |

EMERGENCY PROTECTIVE ORDER
TO PRESERVE EVIDENCE

Plaintiff Donald Middlebrooks, by counsel, moves this Court for an Emergency Order to Preserve Evidence relating to matters regarding the reprieve of death row defendant Oscar Smith. Having reviewed the motion and in light of matters currently pending in this litigation and the related case of *King v. Helton*, No. 3:18-cv-012234, the Court finds the motion is well taken and will be GRANTED.

Defendants and their agents are hereby ORDERED to preserve the following pending further order of the Court:

- a. All lethal injection chemicals that were intended for use in the Oscar Smith Execution;
- b. All packaging of the lethal injection chemicals that were intended for use in the Oscar Smith Execution;
- c. All package inserts of the lethal injection chemicals that were intended for use in the Oscar Smith Execution;
- d. All email, text messages, or any document whatsoever relating to the oversight in preparation for the lethal injection of Oscar Smith
- e. Any photographs, video, or audio recordings relating to the oversight in preparation for the lethal injection of Oscar Smith.

SO ORDERED, this 22nd Day of April, 2022.

WILLIAM L. CAMPBELL., JR
UNITED STATES DISTRICT JUDDGE